

**LEGISLATIVE SERVICES AGENCY
OFFICE OF FISCAL AND MANAGEMENT ANALYSIS**

200 W. Washington, Suite 301
Indianapolis, IN 46204
(317) 233-0696
<http://www.in.gov/legislative>

FISCAL IMPACT STATEMENT

LS 6609

BILL NUMBER: HB 1148

NOTE PREPARED: Dec 18, 2008

BILL AMENDED:

SUBJECT: Authorized Emergency Vehicles.

FIRST AUTHOR: Rep. Pond

FIRST SPONSOR:

BILL STATUS: As Introduced

FUNDS AFFECTED: X **GENERAL**
DEDICATED
FEDERAL

IMPACT: State & Local

Summary of Legislation: *Sirens & Emergency Lights on Authorized Emergency Vehicles-* The bill provides that a police vehicle must utilize a siren and a red and blue emergency signal lamp in order for certain traffic stops to be valid. The bill provides that an authorized emergency vehicle must utilize a siren when the authorized emergency vehicle is being operated in the immediate pursuit of an actual or suspected violator of the law.

Resisting Law Enforcement- The bill provides that an individual commits resisting law enforcement if the individual flees from a law enforcement officer after the officer has, by visible and audible means, including operation of the law enforcement officer's siren and emergency lights, identified himself or herself as a law enforcement officer and ordered the person to stop. (Current law requires only identification by visible or audible means.) The bill makes technical corrections.

Effective Date: July 1, 2009.

Explanation of State Expenditures: *Sirens & Emergency Lights on Authorized Emergency Vehicles-* Indiana State Police (ISP) patrol vehicles, including standard, unmarked, and special patrol vehicles, are all equipped with sirens and visible red and blue emergency signal lamps. However, for ISP detective vehicles to be eligible to make certain traffic stops, some refitting of sirens may be required. The amount of expenditure would depend on the number of cars refitted. (The ISP has approximately 200 detective vehicles.)

Background ISP- The ISP had General Fund reversions of approximately \$3.1 M at the close of FY 2008.

Explanation of State Revenues: *Resisting Law Enforcement- Penalty Provision:* If additional court cases occur and fines are collected, revenue to both the Common School Fund (from fines) and the state General Fund (from court fees) would increase. The maximum fine for a Class A misdemeanor is \$5,000. However, any additional revenue would likely be small. Resisting law enforcement can be a B, C, or D felony with aggravating circumstances.

Explanation of Local Expenditures: *Sirens & Emergency Lights on Authorized Emergency Vehicles-* This provision would have an unknown effect on the total number of citations issued by law enforcement officers during a year. Some law enforcement vehicles may need to be refitted with the proper lights or sirens as required by the bill. The total expenditure necessary is unknown, and it would depend on local law enforcement agencies' installation needs and available funding.

Background Information- The Bureau of Motor Vehicles (BMV) reports the following number of traffic citations from 1998-2007.

Year	Traffic Citations Issued	Annual Percent Change of Citations Issued
2007	882,669	24.5%
2006	708,414	-10.2%
2005	789,062	-5.5%
2004	835,112	-8.0%
2003	907,723	9.8%
2002	826,381	0.4%
2001	822,724	3.4%
2000	795,687	21.2%
1999	656,469	-8.3%
1998	715,626	-2.3%

Traffic citations increased at a rate of 24.5% from 2006 to 2007, which is the highest increase in the 10-year series.

Resisting Law Enforcement- Penalty Provision: A Class A misdemeanor is punishable by up to one year in jail.

Explanation of Local Revenues: *Resisting Law Enforcement- Penalty Provision:* If additional court actions occur and a guilty verdict is entered, local governments would receive revenue from court fees. However, any change in revenue would likely be small.

State Agencies Affected: ISP.

Local Agencies Affected: Trial courts, local law enforcement agencies.

Information Sources: BMV, Indiana State Budget Agency: *General and Rainy Day Fund Summaries, June 30, 2008*; Captain Sherry Beck, ISP.

Fiscal Analyst: Chris Baker, 317-232-9851.